

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. 4:17-cv-40011-TSH  
v. ) Judge Timothy S. Hillman  
DAVID L. TOPPIN, )  
JENNIFER TOPPIN, )  
DEUTSCHE BANK NATIONAL TRUST )  
COMPANY as Trustee for RESIDENTIAL )  
ASSET SECURITIZATION TRUST SERIES )  
2013-A14, MORTGAGE PASS-THROUGH )  
CERTIFICATES SERIES 2003-N, )  
UPS CAPITAL BUSINESS CREDIT f/k/a, )  
FIRST INTERNATIONAL BANK, )  
COMMONWEALTH OF MASSACHUSETTS,)  
TOWN OF HOLDEN, )  
TOWN OF AMHERST, and )  
TOWN OF GARDNER, )  
Defendants. )  
\_\_\_\_\_  
)

**Notice of Restored Funds**

PLEASE TAKE NOTICE that legislation restoring funding to the Department of Justice and the Internal Revenue Service became effective on January 25, 2019, appropriating funds for three weeks of operations to end on February 15, 2019. The government is providing this notice because it indicated that it would do so in its motion seeking a stay.

In its motion for a stay, the government requested that the Court extend the deadlines “commensurate with the duration of the lapse of appropriations,” *see Doc. No. 73 at ¶ 4*, and the Court allowed the motion, *see Doc. No. 77*. The government was shut down for 35 days; accordingly, the government believes that the pretrial deadlines which had yet to expire prior to the stay being entered, *see Doc. 60*, are extended by 35 days. In other words, the non-expert

deposition deadline is extended from January 9, 2019, to February 13, 2019; and the dispositive motion deadline is extended from February 14, 2019, to March 21, 2019.

Dated: January 31, 2019

Respectfully submitted,

RICHARD E. ZUCKERMAN  
Principal Deputy Assistant Attorney General  
U.S. Department of Justice – Tax Division

/s/ Jeffrey N. Nuñez  
JEFFREY N. NUÑEZ  
Trial Attorney, Tax Division  
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**Certificate of Service**

I, Jeffrey N. Nunez, pursuant to D. Mass. Civ. L.R. 5.2(b), hereby certify that on January 31, 2019, I electronically filed the foregoing document with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to all registered participants, and that I mailed a copy of the same to the following non-registered CM/ECF party via prepaid First Class United States Mail:

David L. Toppin  
465 Salisbury Street  
Holden, MA 01520

*/s/ Jeffrey N. Nuñez*  
JEFFREY N. NUÑEZ  
Trial Attorney, Tax Division  
U.S. Department of Justice